

§15.2-22xx. Designated growth areas. In order to fulfill the intent of this Chapter, as specifically declared in § 15.2-2200 and § 15.2-2223 and as otherwise set forth in this Chapter, the following provisions shall be incorporated into the comprehensive plans of localities specified herein and supported by other policies, provisions, plans and ordinances.

- A. Every locality that has adopted zoning pursuant to Article 7 (§ 15.2-2280 et seq.) of this chapter and that (i) has a population of at least 20,000 and population growth of at least 5% or (ii) has population growth of 15% or more, shall, and any other locality may, amend its comprehensive plan to establish one or more designated growth areas. For purposes of this subsection, population growth shall be the difference in population from the next-to-latest to the latest decennial census year, based on population reported by the United States Bureau of the Census. “Designated growth area” is defined as that area or areas of the locality in which the locality will focus the bulk of its foreseeable growth in order to reduce the negative impacts of sprawling development on the environment, infrastructure, community facilities and state and local public investments, and which incorporate the requirements and applicable planning considerations set forth in this section 15.2-22xx. Localities may refer to designated growth areas in any manner and with any terminology as long as the purposes set forth in this section are achieved.
- B. Designated growth areas shall be located so as to maximize the opportunities afforded by existing transportation, utility and other public infrastructure and minimize the need to develop infrastructure in locations distant from the designated growth areas.
- C. Counties shall consult with: (i) adjacent cities and (ii) any incorporated towns within the county in establishing the appropriate size and location of designated growth areas.
- D. The boundaries of designated growth areas shall be identified in local Comprehensive Plans and shall be shown on future land use maps contained in such Comprehensive Plans.
- E. Designated growth areas shall be designated as receiving areas for any transfer of development rights program in the locality. Towns and cities may by agreement accept development rights from adjoining counties; such agreements may contain provisions for sharing revenues and infrastructure and other fiscal and physical considerations between the parties.
- F. The designated growth area(s) shall be planned to accommodate within the developable acreage in the designated area at least 20 years of population growth in the locality based on population growth estimated by federal, state and/or local agencies and as verified and validated by the local planning district commission; likewise, the designated growth area shall also be planned to accommodate at least 20 years of commercial, retail and office growth within the locality. The plan for the designated growth area(s) shall include phasing of development to allow for the rational extension of infrastructure necessary to serve the area(s). For purposes of this section 15.2-22xx, developable acreage shall not include special flood hazard areas as shown on the community Flood Insurance Rate Maps published by the National Flood Insurance Program of the Federal Emergency Management Agency, Chesapeake Bay Resource Protection

Areas, parks and other public open spaces, arterial and collector streets, schools, libraries and other public lands and facilities, although such facilities may be included within designated growth areas.

- G. Designated growth areas shall be complimented by policies, zoning provisions and other mechanisms and ordinances that serve to protect open space, farmland and sensitive environmental habitat among other features and uses. Designated growth areas shall be located so as to minimize the impact of growth on public water supply watersheds, core and connected wildlife habitat areas, scenic vistas, agricultural areas and such other areas and features as may be deemed worthy and appropriate of protection from development or for special consideration by a locality. Development within designated growth areas shall be designed so as not to adversely impact historic and cultural resources of local, state and national significance.
- H. The following characteristics shall be considered in designing and designating growth areas with form-based zoning being one tool to achieve these characteristics:
 - a. mixed-use neighborhoods including mixed housing types and values accommodating all income levels of residents and workers in the community;
 - b. integration of residential, retail, office and commercial development with recreation facilities, public spaces, parks and open spaces;
 - c. a built environment that encourages and accommodates people living, shopping, visiting, enjoying and spending time in the core area;
 - d. densities that improve rates of walking, bicycling and transit use;
 - e. proximity to public infrastructure including utilities, services, schools, parks and similar facilities;
 - f. bicycle and pedestrian-friendly street and road design;
 - g. interconnection of new local streets with existing local streets and roads in a logical network;
 - h. design features that accommodate and prepare for an aging population within the community;
 - i. accommodation of transportation options including transit, walking, bicycling, and transportation demand management that reduce the dependency on automobiles, and ultimately reduce vehicle trips and/or vehicle miles traveled per day;
 - j. preservation of environmentally sensitive areas;
 - k. satisfaction of requirements for stormwater management, especially through the use of innovative and low impact techniques such as bioretention areas, rain gardens, gravel wetlands, and pervious pavements;
 - l. use of high performance building design that incorporates sustainable energy sources such as solar, wind, or thermal energy;
 - m. opportunities to redevelop existing underutilized and previously developed land ;
 - n. vehicular parking accommodated without dominating the streetscape or landscape, and parking management policies that support traffic reduction goals;
 - o. reduced front and side yard building setbacks; and
 - p. narrowed street widths and shorter turning radii at street intersections.

- I. Designated growth area shall be planned to accommodate compact centers supported by sufficient density within approximately one-half mile to permit each center generally to be walkable in its entirety by residents and employees when considering topography and other constraints. For purposes of this section, "compact centers" are efficiently arranged, walkable, mixed-use areas of retail, commercial, and housing, with multiple pathways and multiple modal options to, from and within the center. Whenever possible, centers should be connected by bikeways, sidewalks and trails as well as with transit options to nearby adjacent communities and centers, enabling residents to walk or bike to shopping, recreation, transit stations, school and work.
- J. Each locality establishing a designated growth area shall establish community level of service standards for the provision of public services within the designated growth area and may also choose to set standards for one or more areas outside of the designated growth area. The level of service standards that may be established within designated growth areas include percentage of school children who can safely walk to school, public safety and law enforcement response times, proximity of library facilities to residents, percentage of residents and employees who can safely walk to an active recreation facility, walking proximity of commercial enterprises and medical and professional services to residents and employees, and similar spatial and temporal standards related to the community characteristics noted in paragraph H above. The established level of service standards shall be reflected in the locality comprehensive plan.
- K. Localities that are required to establish a designated growth area, in lieu of performing the analyses and policy and ordinance development required by paragraphs F-J of this section prior to establishing the designated growth area(s), may establish an interim compact designated growth area of no less than 0.25 square mile in area that is located in proximity to necessary public infrastructure of existing or planned sufficient capacity. Within this compact area shall be permitted as a matter of right a mixture of housing types at a minimum density of 4 dwelling units per developable acre that are fully integrated with retail, office and commercial development. Development within the interim compact designated growth area shall include pedestrian-friendly road design, interconnection of new local streets with existing local streets and roads, connectivity of road and pedestrian networks, preservation of natural areas, use of low-impact or regional stormwater management techniques, mixed-use neighborhoods, including mixed housing, reduction of front and side yard building setbacks, reduction of subdivision street widths and turning radii at subdivision street intersections, and reduction of off-street parking requirements. The interim compact designated growth area shall be reviewed within 5 years of establishment and by that time, all of the requirements of this section shall be met.
- L. The Commonwealth Transportation Board shall give priority to the funding of new and expanded transportation and transit infrastructure from state and federal programs to projects and needs within the locality-designated growth areas.
- M. The extent and boundary of the designated growth areas shall be reviewed at least once every 5 years and adjusted as needed in accordance with the most recent available population growth

estimates and projections; establishing an additional designated growth area in lieu of expanding an existing growth area may be considered if community conditions warrant.

- N. Localities that use proffers, impact fees or other development exactions may tailor their systems such that development within designated growth areas is strongly favored over development outside of designated growth areas through such mechanisms as differential rates and preferred public investment in these areas.
- O. Documents describing all adopted growth area designations together with associated written policies, zoning provisions and other mechanisms and ordinances and Capital Improvement Programs shall be forwarded by the locality to the Virginia Department of Housing and Community Development within sixty days of the adoption or amendment of comprehensive plans and other written policies, zoning provisions and other mechanisms and ordinances. The Virginia Department of Housing and Community Development shall annually report to the General Assembly the overall compliance of the localities in the Commonwealth, including densities achieved within each designated growth area as calculated based on developable acreage. Before preparing the initial annual report, the Virginia Department of Housing and Community Development shall develop an appropriate format and establish relevant metrics for the report in concert with the Planning District Commissions of the Commonwealth. The Virginia Department of Housing and Community Development and the Planning District Commissions shall not impose additional administrative burdens on the localities in preparing the annual report.